

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>GARY ANDERSON,</b>	)	<b>CASE NO. 8:06CV332</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>ORDER</b>
	)	
<b>DOUGLAS COUNTY SCHOOL</b>	)	
<b>DISTRICT 0001,</b>	)	
	)	
<b>Defendant.</b>	)	

The Defendant has notified the Court of its decision to withdraw the Statement of Appeal (Filing No. 56) without prejudice. In addition, the Plaintiff, who is proceeding pro se, has filed a document entitled "Notice of Interlocutory Appeal," which the Court will consider as a motion to certify an interlocutory appeal. Because the Court finds no basis for certifying an interlocutory appeal under 28 U.S.C. § 1292, and because a separate judgment will be entered today, the Court will deny the Plaintiff's motion to certify an interlocutory appeal. After the Court enters judgment, the Plaintiff will need to file a separate Notice of Appeal, within the time set forth in the Federal Rule of Appellate Procedure 4, to secure his right to appeal this Court's judgment to the Eighth Circuit Court of Appeals.

**IT IS ORDERED:**

1. The Statement of Appeal (Filing No. 56) is deemed withdrawn; and
2. The Plaintiff's motion to certify an interlocutory appeal (Filing No. 74) is denied.

DATED this 3<sup>rd</sup> day of January, 2008.

**BY THE COURT:**

s/Laurie Smith Camp  
United States District Judge